REMARKS:

Reconsideration and allowance of the claims in the application are requested.

Claims 1-55 are pending in the application.

Claim 49 has objected to as not grammatical. Appropriate correction is required.

Claims 1, 3, 5-10, 12, 14-19, 21, 23-55 have been rejected under 35 USC 101(a) as not statutory.

Claims 1-55 have been rejected under 35 USC 103(a) as being unpatentable over USP 6,125,186 to T. Saito et al., issued September 26, 2000, filed July 8, 1997(Saito) in view of W3C HTML 4.01 Specification, dated December 24, 1999 (W3C).

Applicant has amended the claims to further distinguish over the cited art; corrected the objection to claim 49, and reduced the abstract description to 150 words.

Before responding to the rejection, Applicant would like to distinguish Saito in view of W3C from the present invention (Moser), as follows:

Saito discloses an encryption communication system using an agent and a storage medium for storing that agent. The agent is permanently resident in a server as software for the purpose of cryptographic processing. In addition, another agent that is described in mobile code and contains a program for the purpose of cryptographic processing is also stored in the server. When data that are to be sent and received between the server and a client are encrypted, the agent that is described in mobile code is sent from the server to the client. When the client receives data that were encrypted in the server, it reproduces those data by decryption using the received agent. Saito fails to disclose the limitations of Moser, as follows:

A.   **Saito relates to an encryption communication method to prevent the theft and interception of and tampering with information in communication between computers. Saito fails to disclose or suggest preventing an unauthorized user from inspecting or reverse engineering a web browser script stored in a web server.**

Saito transfers encrypted information from a first to a second computer, after an agent is transferred from the transferring computer to the receiving computer. The transferred agent decrypts the encrypted information subsequently transferred from the first computer to the second computer. Col. 15, lines 1, lines 7-26. In contrast, Moser discloses a web server sends a modified web page to a requesting client for an encrypted web browser script stored in the

- 13 -

58261 v1

server. The modified web page includes an HMTL tag enabling the client to request and obtain a decryption program from the web server. The client subsequently obtains and decrypts the encrypted web browser script from the web server using the decryption program. The decrypted is transferred to the web browser for execution. Page 3, line 16 continuing to page 4, line 8. Accordingly, Saito protects information transferred between computers from theft, interception and tampering and fails to disclose or suggest protecting web browser scripts stored in a web server from inspection, alteration or reverse engineering by an unauthorized user.

B.   **Saito discloses transferring encrypted information from one computer to another via an encrypted communication path served by trusted agents. Saito fails to disclose transferring information between a web server and a client computer via a public network without encryption.**

Saito discloses an encrypted communication path is established between trusted agents in the first and second computers. Col. 3, lines 51-56. In contrast, Moser discloses information is transferred between web servers and client computers using public network without security. Page 6, lines 1 – 3. Saito fails to disclose communicating between computers using public or open networks without security.

C.   **Saito discloses transferring data between a web server and a web browser upon request by the browser. Saito fails to disclose a web server sending the web browser a modified web page upon a first request; a decryption program upon a second request and an encrypted script upon a third request.**

Saito discloses a web server transferring encrypted data and a decrypting agent via a trusted path to browsing software of a web browser, after decryption by the transferred agent. Col. 15, lines 16 – 25. Saito fails to disclose or suggest a web server transferring a modified web page including a HTML tag to a web browser upon a first request via a non-secure path for subsequent transfer of a decryption program upon a second request and an encrypted web server script upon a third request for execution by the web browser, after decryption . Figure 3, steps 310; 314 and 320.

Summarizing, Saito fails to disclose the limitations of paragraphs A, B, and C above. W3C does not supply the missing limitation in Saito as a worker skilled in the art would have no need in Saito for requesting a decryption program by a HTML tag as Saito automatically

transfers the decryption program to the web browser upon request for the web server data. The cited art does not support the rejection of claims 1 – 55 under 35 USC 103 (a). Withdrawal of the rejection and allowance of claims 1 – 55 are requested.

Now turning to the rejection, applicant responds to the indicated paragraphs of the rejection, as follows:

Regarding Paragraph 1:

The Examiner's comments are noted.

Regarding Paragraph 2:

Claim 49 has been amended to correct the grammar.

Regarding Paragraph 3:

Claims 1, 10, 19, 28 and 38 have been amended to describe the execution of the method in a computer. The execution of the method in a computer overcomes the rejection under 35 USC 101.

Claims 3, 5-9, depend directly or indirectly on claim 1, modified to execute the method in a computer.

Claim 12, 14-18, depend directly or indirectly on claim 10, modified to describe execution of the method in a computer.

Claims 21, 23-25 depend upon claim 19, directly or indirectly, which has been modified to describe the method executing in a computer.

Claims 28-37 and claims 38-47 depend directly or indirectly upon claims 28 and 38, respectively, which have been modified to describe the methods executing in a computer.

Claims 48 and 52 have been amended to describe hardware supporting the system and is believed to be statutory for purposes of examination.

Claims 49-51 depend upon claim 48 and claims 53-55 depend upon claim 52 and are patentable on the same basis as claims 48 and 52, respectively.

Claims 1, 10, 19, 28 and 38 and their related dependent claims have been amended to describe methods and systems that are tangible and directed to specific hardware.

The amendment of the cited claims, as described above overcomes the rejection under 35 USC 101. Withdrawal of the rejection of the cited claims and allowance thereof are requested.

58261 v1

Regarding Paragraph 4/5:

Claims 1-55 include limitations not disclosed or suggested in Saito, in view of W3C, relating to (a) unauthorized access to web browser script stored in a web server; or (b) transferring a modified web page to a web browser for obtaining a decryption program from the web server; (c) obtaining a web server script from the web server for encryption purposes and execution by the web server; and (d) transferring an encrypted script from a web server to a web browser, via a public network without encryption.

Based on the foregoing limitations, which will be further described in the following paragraphs of the Office Action, there is no support for the rejection of claims 1-55 under 35 USC 103(a), based upon Saito, in view of W3C. Withdrawal of the rejection and allowance of the clams 1-55 are requested.

Regarding Paragraph 6:

(a)   Claims 1, 2 and 4:

Claims 1, 2 and 4 include limitations not disclosed in Saito, in view of W3C, as follows:

(i)   "storing an encrypted script in a web server;"

Saito, at col. 15, lines 1-5 describes storing an unencrypted program in a terminal, not an encrypted script prepared by an author or access by a web server.

(ii)   "storing an hypertext object including a reference to the encrypted script in a modified web page;"

Applicant can find no disclosure in Saito relating to storing a hypertext object, including a reference to an encrypted script in a modified web page.

(iii)   "storing a decryption program, capable of decrypting the encrypted script, the hypertext object including including a reference to the decryption program;"

Saito discloses an decryption program is automatically transferred to the web browser, col. 15, line 6-15. The incorporation of a hypertext object in a web page transferred to web browser is contrary to the automatic transfer described in Saito. A worker skilled in the art having Saito available would not turn to W3C to add an extra step in transferring data from the web server to the web browser.

(iv)   "whereby access to the hypertext object only allows access to the encrypted script."

Saito does not disclose an encrypted script. Saito discloses unencrypted information, which is subsequently encrypted during the process of transfer to a web browser. Col. 15, line 15-19.

Summarizing, Saito, in view of W3C, fails to disclose (a) an encrypted script or (b) a modified web page (c) a hypertext object that is stored in the modified web page and (d) limiting access to the encrypted script by way of the hypertext object.

b.   Claims 2 & 4:

Claim 2 has been canceled.

Claim 4 depends upon claim 1 and is patentable on the same basis as claim 1.

Regarding Paragraph 8:

Claims 3, 5, and 6 depend upon claim 1 and are patentable on the same basis thereof.

Regarding Paragraph 9:

(i)   "forming a modified web server page including the encrypted script in a hypertext object."

Saito fails to disclose storing an encrypted script for a modified web page or including a hypertext object in a web page. Saito, at col. 15, lines 6-30, discloses data sent from the www server in response a browser request or encrypted by the trusted agent and sent to the client side. It is clear that the data stored in the server is not an encrypted state because of the subsequent encryption in transfer to the client.

Further, it is clear that a modified web page is not formed at a server to enable a web browser to select a decryption program, since the decryption program is automatically transferred to the web browser. Col 15, lines 6-12.

Finally, assuming arguendo, web server creates a web page transferred to the web browser, there is no need to include in such page, a hypertext object for selection of a decryption program, since the decryption program is automatically transferred to the web server to the web browser.

Summarizing, Saito, in view of W3C, fails to disclose a stored encrypted script and a modified web page, including a hypertext object. Without such disclosure, there is no support in Saito, in view of W3C for rejection of claim 7 under 35 USC 103(a). In any case, claim 3

58261 v1

depends upon and further limits claim 1 and is patentable on the same basis thereof. Withdrawal of the rejection and allowance of claim 7 are requested.

Regarding Paragraph 10:

Claims 8 and 9 depend upon claim 7 and are patentable on the same basis thereof.

Regarding Paragraph 11:

a.   Claim 10:

(i)   "forming a modified web page, including a hypertext object for transfer to a web browser;'

Applicant can find no disclosure in Saito, in view of W3C of a web server transferring a modified web page to a web browser for access to an encrypted script, via a hypertext object. As discussed in connection with the consideration of claim 7, Saito does not form a modified web page and as such there can be no transfer to a web browser for access to a decryption program, as described in Fig. 3, as steps 313 and 314.

Without a disclosure in Saito or W3C relating to a modified web page, there is no support for the rejection of claim 10 under 35 USC 103(a). Withdrawal of the rejection and allowance of claim 10 are requested.

b.   Claim 11-18:

Claims 11-18 depend directly or indirectly from claim 10 and are patentable on the same basis thereof.

Regarding Paragraph 12:

a.   Claim 19:

Claim 19 has been amended to further include limitations not disclosed or suggested in Saito, in view of W3C, as follows:

(i)   "forming a modified web page including the hypertext object"

This limitation was considered in connection with claim 7 and distinguishes over Saito and W3C for the reasons indicated therein.

(ii)   "sending the web page to a web browser;"

This limitation was considered in connection with claim 10 and distinguishes over Saito, in view of W3C for the reasons indicated therein.

58261 v1

(iii)   "sending a request from the web browser to the web server for the decryption program."

Saito discloses the decryption program is automatically transferred to the web browser, upon request for the stored information.

Saito in view of W3C fails to disclose the above indicated limitations and without such disclosure, there is no support for the rejection of claim 19 under 35 US 103(a). Withdrawal of the rejection and allowance of claim 19 are requested.

b.   Claims 20-27:

Claims 20-27 depend directly or indirectly upon claim 19 and are patentable on the same basis thereof.

Regarding Paragraph 13:

Claims 28-47 include limitations not disclosed nor suggested in Saito, in view of W3C, as follows:

a.   Claim 28:

(i)   "receiving a request for a hypertext object including a reference to an encrypted script and a reference to a decryption program capable of decrypting the encrypted script;"

Saito, at col. 15, lines 1-30, disclose a browser request to a server automatically transfers a decryption program from the server to the client. There is no request for or need for requesting a hypertext object including a reference to a decryption program.

(ii)   "transferring a hypertext object'

There is no disclosure in Saito relating to a hypertext object because of the automatic transfer of the decryption program.

(iii)   "sending a decryption program pursuant to a second request;"

A description program is transferred to the web browser as part of the request for data. In contrast, Moser discloses a specific request is received by the web server for the transfer of the decryption program through a web browser.

(iv)   "receiving a third request for the encrypted script;"

Saito does not disclose receiving a third request to transfer the encrypted script, as the stored data is encrypted and transferred through the web browser, upon the initial request.

58261 v1

Saito fails to disclose the elements of claim 28 in respect to first, second and third request for the transfer of a hypertext object; a decryption program and an encrypted script, all the foregoing being transferred by the web server to the browser, upon the initial request of the browser. Without such disclosure, there is no support for the rejection of claim 28, under 35 USC 103(a). Withdrawal of the rejection and allowance of claim 28 are requested.

    b.   <u>Claims 29-37</u>:

Claims 29-37 further limit 28 directly or indirectly and are patentable on the same basis thereof.

    c.   <u>Claims 38-47</u>:

Claims 38-47 include limitations not disclosed in Saito, in view of W3C, as follows:

    1.   <u>Claim 38</u>:

    (i)   "issuing a second request to the web server for the decryption program;"

Saito sends the encryption program to the web browser upon a request of data. There is no second request to the web server for the encryption program.

    (ii)   "issuing a third request for work web server for the encrypted script;"

Saito discloses a web browser issues a single request for the decryption program and the data encrypted in the transfer to the web browser. There is no disclosure in Saito related to issuing a third request for the transfer of encrypted data to the web browser.

Without a disclosure of the foregoing limitations, there is no support in Saito, in view of W3C for the rejection of claim 38 under 35 USC 103(a). Withdrawal of the rejection and allowance of the claim are requested.

    2.   <u>Claims 39-47</u>:

Claims 39-47 further limit claim 38 and are patentable on the same basis thereof.

<u>Regarding Paragraph 14</u>:

Claims 48-55 include limitations not disclosed in Saito, in view of W3C, as follows:

    a.   <u>Claim 48</u>:

    (i)   "an encrypted script stored in a web server;"

Saito discloses an unencrypted data stored in the server, which is subsequently encrypted in the transfer to a web browser. Saito does not store an encrypted script in a web server.

(ii)   "hypertext copy in a modified web page including a reference to the encrypted script;"

Saito does not disclose a web page for a modified web page including a reference to an encrypted script. Saito discloses this data is transferred upon request by a web browser and not via a web page encoding the hypertext object.

Without a disclosure of the foregoing elements, there is no support in Saito, in view of W3C for rejection of claim 48. Withdrawal of the rejection and allowance of claim 48 are requested.

b.   Claims 49-51:

Claims 49-51 further limit claim 48 and are patentable on the same basis thereof.

c.   Claims 52-55:

Claims 52-55 include limitations not disclosed in Saito, in view of W3C, as follows:

1.   Claim 52:

(i)   "an encrypted script stored in a web server that conceals and restricts access to the script;"

Saito fails to disclose storing an encrypted script for reasons discussed in consideration of claim 1.

(ii)   "a hypertext object in a modified web page that modifies a reference to the script to refer to the encrypted script;"

Saito fails to disclose a modified web page enabling a user to download an encrypted script. Saito discloses a user downloads data directly, without reference to a web page.

(iii)   "a decryption program singularly requested for transfer to a web browser..."

Saito discloses the decryption program is transferred upon an initial request and not in a single request, as described in Moser.

Without a disclosure of the foregoing elements in Saito, in view of W3C, there is no support for the rejection of claim 52 under 35 USC 103(a). Withdrawal of the rejection and allowance of claim 52 are requested.

2.   Claims 53-55:

Claims 53-55 further limit claim 52 and are patentable on the same basis thereof.

- 21 -

58261 v1

Summarizing, Saito fails to disclose a) preventing unauthorized access to web browser script stored in a web server; b) transfer of a modified web page to a web browser for obtaining a decryption program from the web server; c) obtaining a web server script from the web server for decryption purposes and execution by the web browser, d) transferring information between the web server and the browser via a public network without encryption . W3C does not supply the missing elements in Saito as a worker skilled in the art would have no need in Saito for requesting a decryption program by a HTML tag as Saito automatically transfers the decryption program to the web browser upon request for the web server data. The cited art does not support the rejection of claims 1 – 55 under 35 USC 103 (a). Withdrawal of the rejection and allowance of claims 1 – 55 are requested.

58261 v1

CONCLUSION:

Having amended claim 49 to overcome the objection; provided a new Abstract and distinguished claims 1, 3-55 from the cited art, Applicant requests entry of the amendment, allowance of the claims and passage to issue of the case.

AUTHORIZATION:

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 3037-4190. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 3037-4190.A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, O.K.

Dated: April 26, 2005   By:_____
                                    Joseph C. Redmond, Jr.
                                    Reg. No. 18,753
                                    Telephone: (202) 857-7887
                                    Facsimile: (202) 857-7929

CORRESPONDENCE ADDRESS:
Morgan & Finnegan LLP.
3 World Financial Center
New York, NY 10281-2101

58261 v1